**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, MARCH 16, 2010**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, March 16, 2010 at 6:00 PM with Mayor Gary Bishop presiding. Members present were Marty Follis, Larry Parham, Gary Trippensee and Mike Davenport. Also present was City Manager, Bruce Johnson; Attorney, Dave Jones; Assistant City Manager, Debbie Bottoroff; City Treasurer, Lisa Allred; Public Works Director, Jack Bower and City Clerk, Bonnie Buzzard.

At 6:05 PM Bishop opened the floor for a Public Hearing with respect to Civic Center alcoholic beverage policy. Johnson addressed the floor to report on the past history of this project and the reasoning for this change. Johnson added that various organizations has expressed strong concerns with utilizing the Civic Center for their events, however the use of alcohol was not available at the Civic Center, therefore the organizations are having to use other sources for their events. Johnson noted that the Council heard concerns from the public during their last meeting. Trippensee reported that he has no problem with the use of beers, wines and champagne, however he expressed strong concerns with the use of hard liquor. The Council heard comments of concern, and entertained questions from the following individual(s):

* Judith Read
* Bob Henkle

At 6:22 PM Davenport made the motion to close the Public Hearing. Seconded by Follis. AYE: Follis, Parham, Trippensee, Davenport and Bishop. NAY: None. Motion carried.

Trippensee made the motion to approve the minutes of the previous meeting. Seconded by Parham. AYE: Follis, Parham, Trippensee and Bishop. NAY: None. Davenport abstained. Motion carried.

Parham made the motion to approve the purchase order register as corrected. Seconded by Trippensee. AYE: Follis, Parham, Trippensee, Davenport and Bishop. NAY: None. Motion carried.

Bishop opened the floor for discussion regarding an Ordinance amending Chapter VI, Land Improvements, more particularly Section VI-10 Maintenance and Supervision of the City of Grove, Oklahoma subdivision regulations, to establish terms on accepting responsibility of streets lights. Bottoroff reported that the City of Grove currently does not have a policy in place that defines when the City becomes responsible for the city street lights. This Ordinance would better define when the City would accept the responsibility for utility expenses for street lights within all subdivisions platted after the date of this Ordinance and located within the corporate limits upon the expiration of the two-year maintenance bond required for street improvements. Bottoroff mentioned that prior to the two-year maintenance bond required for street improvements; the developer shall be responsible for utility bills associated with the street lights. Bishop asked if this is basically the same policy that other cities and towns follow. Bottoroff reported that this is in line with policy of AEP/PSO and other municipalities. Trippensee reported that certain property owners has the right to request an additional security light along their property, how do we know that the city is not paying for those personal lights. Bottoroff reported that the utility company has that record of just the street lights, and that they would be the one processing the utility bill. Davenport made the motion to approve the Ordinance pertaining to street lights maintenance and supervision as presented and discussed. Seconded by Parham. AYE: Follis, Parham, Trippensee, Davenport and Bishop. NAY: None. Motion carried.

Bishop opened the floor for discussion regarding an Ordinance amending Part 17 of Public Sewers required, of the Code of Ordinances of the City of Grove, Oklahoma, more particular, Chapter 4 Section 17-402, requiring sanitary sewage backflow prevention device. Johnson reported that the Grove Municipal Service Authority met earlier today, and moved to table this item for further review. Johnson recommended that the Council consider the same. Davenport made the motion to table this item. Seconded by Parham. AYE: Follis, Parham, Trippensee, Davenport and Bishop. NAY: None. Motion carried.

Bishop opened the floor for discussion regarding an Ordinance amending Chapter 4 District Regulations of the Zoning Ordinances of the City of Grove, Oklahoma by adding Section 1 District Regulations for Single Family Patio Homes (zero-lot line), and Single-Family Townhouses; Section J establishing buffer zone for C-3 Zoned Districts and repealing and replacing the ‘set-back’ requirements table. Bottoroff reported that the Planning &Zoning Chapter 4 Regulations Table does not currently provide adequate setback requirements for Commercial Districts C-2 and C-4, therefore the proposed table provides adequate set-back requirements for Commercial Districts C-2 and C-4. Bottoroff added that the Planning & Zoning Ordinances currently define Townhouses and Zero-Lot Line Patio Homes, but does not currently provide set-back regulation or allow construction of this type of dwelling in any zoning district within the corporate limits; therefore the proposed table will allow the construction of Townhouses and Zero-Lot Line Patio Homes in R-2 Zoning Districts; and amendments to Chapter 4 District Regulations provide set-back requirements for these types of dwellings. Bottoroff then reported that the Planning & Zoning Ordinances does not currently provide a ‘Buffer Zone’ between C-3 Commercial Zoned Districts and Residential Zoned Districts, therefore the proposed amendments to Chapter 4 District Regulations and the Regulations Table is to create a ‘Buffer Zone’ between C-3 and Residential Districts. Bottoroff reported that the Planning and Zoning Commission met an approved this Ordinance upon recommendation to the Mayor and City Council. Bottoroff noted that this was sent to Attorney Kolczun for review, and that he approved the contents of the Ordinance. Johnson posed the question if the City of Grove has a defined map that distinguishes between the C-3 Zoning District and Residential Zoning District along U.S. Highway 59 North. Johnson understood that the City of Grove Planning and Development Staff is utilizing a Zoning Map that clearly indicates a C-3 Commercial so many feet off of Highway 59 North. That line is an arbitrary line based upon an approved document by Planning & Zoning, and the Council, but never actually dedicated those zoning district to individual properties in order to distinguish the difference between C-3 and Residential along U.S. Highway 59. Bottoroff reported that she has researched all available resources attempting to locate a document that stipulates the 150’ – 250’ on each side of the Highway 59 corridor. Johnson respectfully requested that the City Council direct the Planning and Zoning Commission to identify the zoning district of each described properties inside the corporate limits of Grove so that the Staff would know who is being affected once an Ordinance is pasted. Parham made the motion to approve the Ordinance as presented and to direct the Planning and Zoning Commission to identify each individual properties zoning district located inside the corporate limits. Seconded by Davenport. AYE: Follis, Parham, Trippensee, Davenport and Bishop. NAY: None. Motion carried.

Bishop opened the floor for discussion regarding a Resolution of the City Council of the City of Grove, Oklahoma with respect to requesting the bidding of one (1) fire ladder truck by the Delaware County Commissioners and Delaware County Purchasing Agent using funds from the Delaware County Fire Department Sales Tax. Johnson reported that the Staff is requesting the bidding of one (1) fire ladder truck by the Delaware County Commissioners and the Delaware County Purchasing Agent using funds from the Delaware County Fire Department Sales Tax with trade-in values and / or the sale using City of Grove Purchasing Policies in regards to surplus items of the following to be used toward the purchase of the aforementioned fire ladder truck:

* a 1981 Fore Boardman Pumper
* 1983 E-One 55’ Ladder Truck, and
* 1988 E-One Custom Pumper

Johnson requested that the above-mentioned three units be declared as surplus, and allowed to be used as trade-ins for the purchase of one (1) ladder truck in accordance to the City of Grove Purchasing Policy. Trippensee made the motion to approve the Resolution authorizing the bidding of one (1) fire ladder truck by the Delaware County Commissioners and Delaware County Purchasing Agent using funds from the Delaware County Fire Department Sales Tax, and to approve the declaration of surplus of the above-mentioned three units from the Grove Fire Department inventory. Seconded by Follis. AYE: Follis, Parham, Trippensee, Davenport and Bishop. NAY: None. Motion carried.

Follis made a motion to approve the Resolution amending the 2009/2010 fiscal year budget. Seconded by Parham. AYE: Follis, Parham, Trippensee, Davenport and Bishop. NAY: None. Motion carried.

Bishop appointed Coleen Thomas as Trustees to the Grove Public Library Board. Trippensee seconded the appointment. AYE: Follis, Parham, Trippensee, Davenport and Bishop. NAY: None. Motion carried.

Bishop opened the floor for discussion regarding the Grove Municipal Airport Managing Authority Fiscal Year 2011 - Five Year Capital Improvement Plan. Airport Manager, Terry Abercrombie addressed the Council briefly to describe the proposed project(s) listed on this plan document. Parham made the motion to approve the five years Capital Improvement Plan for the Grove Municipal Airport Managing Authority as presented by Abercrombie. Seconded by Trippensee. AYE: Follis, Parham, Trippensee, Davenport and Bishop. NAY: None. Motion carried.

Bishop reported that at the last City Council meeting the Council approved an Agreement for Planning Services for a Multi-Hazard Plan. Bishop noted that as Mayor he has been asked to select 3-5 individuals from the community to serve on this committee along with:

* City Manager
* Assistant City Manager
* Fire Chief
* Police Chief, and
* Public Works Director

Bishop nominated Jeff Dozier – EMS Director for Grove Integris Hospital as member to the committee. Seconded by Davenport. AYE: Follis, Parham, Trippensee, Davenport and Bishop. NAY: None. Motion carried.

Bishop nominated Debbie Lawson – Infection Prevention and Safety Officer of the Grove Integris Hospital as member to the committee. Seconded by Parham. AYE: Follis, Parham, Trippensee, Davenport and Bishop. NAY: None. Motion carried.

Bishop nominated Kirsten Mustain – Grove Sun Reporter as member to the committee. Seconded by Follis. AYE: Follis, Parham, Trippensee, Davenport and Bishop. NAY: None. Motion carried.

Bishop nominated Buddy Ramsey who has sixteen (16) years experience with Emergency Management, as member to the committee. Seconded by Parham. AYE: Follis, Parham, Trippensee, Davenport and Bishop. NAY: None. Motion carried.

**CITY MANAGERS REPORT**:

1. Discussion with respect to report from the University of Wisconsin Population Health Institute regarding Oklahoma county health rankings for 2010 – Johnson reported that he has received information from the University of Wisconsin regarding the Oklahoma County health ranking for 2010. These findings were given to dignitaries over the State of Oklahoma in hopes of being distributed to all City Officials. The institute indicates that Delaware County is in the bottom half when it comes to health ranking and health outcome. Johnson indicated that with this information in hand, if the City Council wishes to take action to help improve the ranking in regards to the citizens of Grove to let him know and he would research it in more detail.
2. Discussion with respect to the City of Grove infrastructure – Johnson reported that the Street Department anticipates starting later this week on patching pot holes. They are however experiencing some minor repair issues with the lay down machine. They have scheduled materials with the asphalt company, so borrowing the condition of the lay down machine that project should get underway later this week, starting on Har-Ber Road, Baycrest, Leisure and Ford Road. Johnson noted that the patching cost may dip into the Street Overlay Program, and if that happens, he would bring that back before the Council. Trippensee asked when the Street Department will start their street sweeping project. Bower reported that some minor sweeping has already been completed; however they are looking at starting that project season again in approximately two (2) weeks.
3. Discussion with the Waste Water Treatment Plant project – Johnson reported that project currently has the two (2) belt filter press in place, and operating. The old sludge box has been removed from the Waste Water Treatment Plant site and placed at the Water Treatment Plant where the Staff will look at utilizing it to deduce the sludge hauling cost from that facility.
4. Discussion with respect to the City of Grove Pool Project – Johnson reported that this project is on schedule, and that they are anticipating on pouring the concrete pool on Friday. They have started the internal wall of the bath house, and they expect to begin the external structure within the next couple of days.

**WARD REPORTS**:

Trippensee asked if anyone had knowledge if any more weather radios were going to be available for the public again this season. Trippensee noted that the previous radios were funded by grant monies, and that they have all been distributed. So basically, no more weather radios are available at this time. The Staff indicated that they have not heard any indications of that program again this year.

Trippensee questioned the placement / replacement of the street signs along Highway 59 North. Bower reported that the signs have all been made, and that the Staff is waiting for the Koss Construction sub-contractors to get them installed.

Davenport announced to Councilman Bishop that it has been a pleasure working with him on the Council, and expressed thanks to him for his service to the City of Grove.

Bishop reported that the City of Grove is currently accepting letters of application from anyone interested in serving on the Health Care Trust Authority. Applications will be received until April 15, 2010.

Bishop strongly expressed thanks to the Citizens of Grove along with all of the City Staff and Employees for all of the assistance they have extended to him during his term on the City Council. Bishop added that in answering some of the concerns that has been circulating since his announcement of resigning from the Council, he is not moving from that community, he does not have any health issues, and he does not have any relational issues with the public, staff or employees of the City of Grove. Bishop reported that he looks forward to the continual growth for Grove, and believes that the best is yet to come for the City of Grove.

At 7:12 PM Follis made the motion to adjourn. Seconded by Parham. AYE: Follis, Parham, Trippensee, Davenport and Bishop. NAY: None. Motion carried.